Previous references

mrl 46-12 1-15 13 14 1913-14
15-16 17-19 20
(Municipal

File No 311 - 1

Serial Nos 1-8

Later references

R 1913 - 14
mrl 73-14 (11-6)
Rl 70-1448 31, 53-54 B Nov 1914

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 1 - 8

Part B for May 1914

SUBJECT

Fees due to the Govt Advocate for his appearance in the District Judge's Court in connection with Pogakula Venkatachalamma's cases

---

Sd/- from the Govt Advocate No 1943-2/13 stating that the District Judge has authorized reduced the fee due to him for appearance in the Dt. Judge's Court in connection with Pogakula Venkatachalamma's cases & requests sanction to the payment of Rs 100 as fee as appears to Govt. reasonable

Sd/- to the President, Mel. Council Bangalore inf No 81, 45 dt 11/4/15 Requests him to investigate the claim

G R S 28

GPB—4,000—4-7-11

of the legal practitioners in the cases and submit
a report

SC3 From the President, Bar Council. Bangalore in
No 27-D 1814/13 Submits a brief memo in the
case

SC4. To the Registrar Civil Court No 9069 D 1575/13
Requesting to State the dates on which the
Advocates appeared to conduct the cases

SC5. From do No 4278-D 1616/13 Forwards the
332
statement called for

SC6 To the Registrar of the Civil Court No 9057
D 2117/13 Requesting to obtain and submit
the information referred to in para 3, above (Four
notes)

SC7 From do. No S 2150-3577/13 Submits that
Judge's docket in which it is stated that he
was allowed to Mr. Rangappa as a matter of
courtesy for attendance on one day on which
he did nothing, whereas Mr. Rama Rao did
almost the entire work of examining the
witnesses and marking Govt. Advocate was
Bona fide by the most intelligent
portion of the work throughout helpful to the
Court in getting the errors in the Declaration
rectified. In placing the facts in their true

Ld. No 11515-69 1115/14 to the Assistant Md. Comm
Bangalore Urg, Commissioner etc Approver of the
District Judge's apportionment of the fees.

V Rec. 29
" 30/6/14

G R S 11] 1912.

GENERAL AND REVENUE SECRETARIAT

(Jud)

NOTES

File No 311

FILE HEADING

Fees payable to Pleaders Advocate & other legal practitioners in Land Acquisition Cases

From

Tuticorin Advocate

No. 242 Dated 20.3.13 Received 21-3-13

Diary No. 5832	Enclos 6 Spare Copies	Serial No 1

BRIEF ABSTRACT OF LETTER.

States that the Dt. Judge has unanimously reduced the fee due to him for appearance in the Dt. Judge's Court in connection with Pogiyala Venkatasubramanyam's Co: & requests sanction to the payment of such fees as appear to Govt reasonable

NOTES AND ORDERS

J

2 According to the rule quoted in the paper under disposal the remuneration payable to a legal practitioner is ordinarily the maximum amount calculated according to rates of Court fee

NOTES—First Sheet.

GPE—24,000—15-6-12

) R. S 12]

General and Revenue Secretariat | Jud File No. 34 of 1912

Serial No

of the suit assessable by the Court, unless an additional sum is sanctioned by Govt as a special case

3 In the Land Acquisition cases referred to, three legal advisers have appeared for defending the Govt: Mr Rama Rao at the beginning Messrs Rangaiya & Srinivasa Iyer for some time & then Mr Srinivasa Iyer till at the end There may be 3 claims for payment of remuneration in the cases & each claim will require to be sanctioned, the aggregate remuneration not exceeding the amount ordinarily allowable Mr Rangaiya has already requested payment of the fees, & the President has been requested to furnish particulars for fixing the remuneration payable to him.

4 In this case an appeal has been preferred & the Govt Advocate alone will be entitled to any further fees

5 Subs. for orders as to whether the question may be referred to the President for consideration

President's letter Jud 46-12)-1

Jud 46-12)-6

Jud 46-12)-16

46-12) & 23

NOTE—Contin. sheet.

5632

R. S. 12]

General and Revenue Secretariat. | Pub File No. 311 of 1912

Serial No

of the Pub Council & submission of bills in the case of the other two gentlemen also, with his Recommendation

TLS 69
4/4/13

6 Yes, put up Draft referring the matter to the President as the Cost is debitable to the City municipal budget

ZY
3/4/13

(3/4/13) 7 Draft submitted for appl or other orders

TLS 69
4/4/13

ZY
5/4/13

(5/4/13) 8 The file should be rearranged after recording at proper stages. It is impossible to deal with papers put up in this haphazard manner

Draft
5/4

Bills

9 The reference file Pub 46-12 has been recorded Subs for orders

TLS 69
8/4/13

ZY
9/4/13

(9/4/13) 10 Mem

Draft
10/4

2 11 To Hon'ble President, Pub Council Bangalore City No. dd 11.4.13
Requests him to investigate

NOTE—Contin. sheet.

GPB—65,000—17-6-12.

R. S 12]

General and Revenue Secretariat.

Ind File No. 311 of 1912

Serial No	
	the claims of the legal practitioners in the cases & submit a report
3	12 from the Chief Secretary, Ind Council Bangalore city No. 272 d 18 4·13 (R 1460) Submits a brief memo in the case
	13 In the two cases, the Dt Judge has awarded as Advocates fee, in O S no. 9 — Rs 969-4-0
	no. 10 — 693-9-7
	Rs 1663-7-7
	probably calculating on the value of the suits, against Rs (about) 320 + Rs 100 calculated on the amount decreed Each of the three legal gentlemen that appeared in the Case has claimed the full fees awarded by the Dt Judge, who in Countersigning their bills has not exceeded the aggregate amount, as per particulars noted below: —
	Mr M Rama Rao — Rs 600-0-0
	400-0-0
	Mr Rangama 50-0-0
	Mr Srinivasamy Iyer 340-11-5
	272-12-2
	1663·7·7

Rs transferred to Account (1)

Note—Contin. sheet.

GPB—65,000—17-6-12.

6460

R. S 12]

General and Revenue Secretariat

File No. 311 of 1912

Serial No

Mr Rama Rao has consented to accept the amount under protest. Mr Rangama claims the full amount & the Sarasamy Iyer such fees as in the opinion of Govt he will be entitled to under the rules now in force.

14. Submitted for orders

TLS 69 15 Please note below the 25/4/13 appearances made by the three Advocates in Each Case

16. Draft calling for the information is sent for approval or other orders

TLS 69 17 When information will be 1/5/13 available the Govt to fix the fee payable to each Advocate Draft may be sent

18 The President will not be able to give no further information needed for the disposal of the claims.

19 Put up a draft to the Registrar of the Chief Court calling for information from the D/ Shewing the several dates on which the Advs concerned appeared, and on which adjournments were granted We must get information of the Revd referred to

NOTE—Contn. sheet.

GPE—85,000—17-6-12.

[R. S 12]

General and Revenue Secretariat. | Jud File No. 31 of 1912

Serial No

u/s 3 of Rule 7 of the Fee Rules so that an equitable distribution may be effected. Draw 4/5/13

5/5/13 20. Draft, subd. Draw
Ts 169 for approval 4/5/13 9/5/13
(Sd Secy)

21 Order

4 22. To Registrar Calcutta High Court No. 9169 d 15-5-13 Requesting him to state the date on which the Advocate appeared to conduct the case.

5 23 From the Home office No. 4276/332 d 16.6.13 (D 8038) forwarding the statement called for

24 Information about the no. of attendances is abstracted below —

No. of adjournments granted	No. on which Mr. Rama Rao appeared	No. on which Mr. Rangaswami appeared simply	No. on which Mr. Rangaswami appeared & argued	No. on which Mr. Dorasamy Iyer appeared	No. on which no appearance was made	Remarks
Without hearing	34	20	-	1 (a)	4 (b)	9	Mr Dorasamy Iyer appeared on 29/11/12 probably for Mr Rama Rao. So
After hearing	8	5	-	-	3	-	
	42	25	-	1	7	9	His appearance has been counted for Mr Rama Rao

(a) vide Mr Dorasamy Iyer
(b) Excludes 1 adjt

NOTE—Contn. sheet.

GPE—65,000—15-6-12.

R. S 12]

General and Revenue Secretariat | File No. 34 of 1912

Serial No

25 Submitted for orders

RS 19
24/6/13

26 Branch III may be Consulted as regards fees payable to the Govt Advocate for appearances made in such case

XY
9/7/13

III

27 The remuneration payable to a Legal Practitioner for defending a civil suit on behalf of Govt will ordinarily be the maximum amount calculated according to rate of cost of the suit assessable by the court - vide G.O. dt 16th May 1904 - Where the suit is partly decreed, as in the case under reference the calculation should be made on the difference between the amount decreed and the amount of valuation - vide R.P. No 91 dt 2nd Aug 1897

28 The amount awarded in by the Dist Judge in the two cases (O.S. Nos 9 & 10 of 1911-12) is stated to be Rs 18,032 but the exact amount at which the suits have been valued in the court cannot be gathered from the papers available in the file. In the appeal of the District Judge's award the claim is put down at a lakh and a quarter but the Dy. Com. states in his letter of the

R T O.

NOTE—Contin. sheet.

GPS—65,000—17-8-12.

Jms 10/1913-14

R. S 12]

General and Revenue Secretariat | Ml File No. 311 of 1912-13

Serial No	
	10th July 1912 that the claim comes nearly to Rs 99, 220.
	29 The calculation as above should be made, it seems, subject to the provision that the fee in a single suit in the Dist. Judge's court payable to an advocate for the plaintiff or defendant shall not exceed Rs 1000/-
	30 Every one of the three advocates has claimed a sum of Rs 1663-7-0 for both the cases together but the Dist Judge has apportioned that amount between among all the three. Whether each claim should be admitted in full or regulated with a view to each advocate's share in the defence of both cases is a matter for consideration
	Subd Rq.-129 14/7/13 11/7/13
	31 It is perfectly clear that Govt cannot pay more, in the shape of fees to all the advocates concerned, than what is allowed by the Court in the decree. The cases, though involving a large sum, were not either intricate or exceedingly difficult to handle but depended only on the question as to the amount of

Note—Contin. sheet.

GPB—65,000—17-6-12.

Serial No

of Compensation awardable. Hence there seems to be no necessity for incurring larger expenditure in the payment of fees than the amount awarded by the Court as Advocates fee.

32 The only question, therefore so far as Govt are concerned is the manner in which the amount of Rs 1663-7-11 allowed by the Court in the two cases should be apportioned among the three advocates. The claim of each of them to the full amount cannot hold good at all. Even among legal practitioners, the principle of fair proportionate payment for work partly done is recognised & is in practice everyday. It is a common experience to pay pleaders only for applying for bail & adjournment, etc, for cross-exam only or for argument at the bar. It may be that in such cases, there is a definite Contract or understanding between Client & pleader. But these instances serve to show the applicability of the principle of fair payment for

Note—Contn. sheet.

8038

G. R. S. 12]

10

General and Revenue Secretariat. | File No. | of 191

Serial No.

the portion of the work relating to a Case

33 The Dt Judge seems to have counter-signed the bills of all the three advocate for certain amounts with refer to the number of appearance put in by each. This is not quite clear but I take it to be so This is a fair principle to act upon may of perhaps be approved by Govt. Before passing final order, it may be ascertained, perhaps, from the Dt Judge on what basis he has counter-signed the bills & the amounts noted in each

Dr Seal) Seal 15/7

34 The information suggested in the last paragraph of this Govt Secy's Note should be called for The Chief Court should be requested to submit forward a full Statement of the grounds on which the DJ has made the distribution of fees Draft Secy 16/7

35 To Br IV for further action Seal 16/7

36. Draft, is submitted for approval

TLS 69 16/7/17 37 Secy 17/7.

NOTE—Contin. sheet.

GPB—63,000—17-6-12.

827

11

[P. S 13]

General and Revenue Secretariat. | Jud File No. 311 of 1912

Serial No.	
6	38. To the Registrar of the High Court No. 905 d 21.7.13 Requests him to obtain & submit the information referred to in para 34 above.
7	39 From Do — No. 521/30 d 30.7.13 (P 827) Submits the judge's order in which it is stated that Rs 50 was allowed to Mr Ranganna as a matter of courtesy for attendance on one day on which he did nothing, that Mr Rama Rao did almost the entire work of examining the witnesses & that Madras Advocate Mr C.S Iyer. Sesury Iyer did very much intelligent portion of the work & was very helpful to the Court in getting the errors in the declaration rectified & in bringing & placing the facts in their true light
	40. Submitted for orders as to whether a draft may be put up in accordance with the opinion of Broomfield, that Govt are no reason to enhance the fees allowed by the Hon the judge. Draft submitted for approval or other orders.

TS 19
24/7/13

Note—Contin. sheet.

S.T.P.—35,000—17-6-12.

(7-R. S 12]

827

General and Revenue Secretariat | Land File No. 311 of 1912

Serial No

41 The Dt Judge appears to have followed sound principles in apportioning the fees

42 The G O referred to by the Govt Advocate contemplates that a case will be conducted by the same lawyer to its end When going to various Courts, two or more Lawyers deal with the same case at different periods, the equitable principle of apportioning the fees exists in practice, and the G O of 16 3. 1904 is not antagonistic to such a principle

43 Draft put up accordingly.

Dy Secy 4) Rm 8/8

44 Please submit the claims now now with reference to the Fee Rules & the Statistics now furnished The Govt Pleader may keep up the case for discussion if need be

Dmss Rm 13/8 19/8

45. A revised draft is submitted as per Dy Secy's instructions The details relating to the audit of the claims are given in a separate note

Dy Secy 4) Rm 18/8

46 Please consult Br III once again about the draft order

Dmss Rm 19/8 19/8

47 Clause 3 of para 7 of the G.O. of 16 3.04 applies only to attendance in a Civil Court but the principle therein laid down has been adopted in arriving at

NOTE—Contn. sheet.

[R. S 12]

General and Revenue Secretariat.

File No. 311 of 1912

Serial No.

the apportionment between the three counsels.
[The calculation made on the reverse note seems to require modification in as much as the Govt Advocate has, like the other two, been allowed only Rs 16/- per day on the days the case was conducted by him, whereas he is entitled to Rs 25/- per day.]

Ag.-129
20/9/13

4) I would suggest the acceptance of the sums countersigned by the Dt Judge. He was the Judge who heard the case & who was in a position to gauge the amount of work that devolved upon each of the advocates concerned. The amounts countersigned by him are not far off from those that have been arrived at by calculating a daily fee of Rs 16

4) The method of calculation adopted in the branch has two disadvantages. (1) that it is not in accordance with the rules at present applicable to a criminal case the rate sanctioned for criminal cases,

NOTE—Contin. sheet.

GPE—85,000—17-7-12.

R S 12]

General and Revenue Secretariat. | Jud File No. 34 of 1912

Serial No.

that it does not take into account the labour spent by an advocate in studying up the records of the case

50 All things considered, I would suggest that the amounts countersigned by the Dt Judge may be sanctioned, as this course would have the advantage of resting the order on the recommendation of the Dt Judge who was in a peculiarly good position to value properly the quantity of work done by each advocate

Br IV) 23/8

51 Submitted for orders (In criminal cases Tl 169 no fee is allowed for studying records).
25 8 13 23/8

52 Dr Sec 24). 23/8.
A tidy draft may be put up as finally revised

Draft Amy 27/8 27/8

53 Fair draft, submd

Tl 169
27 8 1912 Dr Sec 24) 23/8

54
The District Judge countersigned the bills for fees of the three Counsels in the case for particular amounts.

NOTE—Contin. sheet.

GPE—88,000—17-C-12.

[F S 12]

General and Revenue Secretariat

File No. 311 of 1912

Serial No

There is no rule vesting such a power in these as [illegible] complained of by the Govt- Advocate.

57 Also, it is noteworthy that the judge's arrangement is based on such grounds as "Courtesy" and "intelligent portion of the world"

58 Govt- have to draw a fee payable to each. The existing rules contain no provision applicable to such cases in which two or more pleaders appear for and appear on behalf of Govt-.

59 Hence, the rule prescribed for criminal trials in such cases is taken here as the basis for the proposed Govt order which may be approved.

Dewan

Thurairajah 30/8 Rng 30/8

5008 30-8-13

58 The draft may be sent to the 2nd Counsel for favour of his advice

22/1/14 RC

By draft

1st Counsel

Thurairajah 22/1/14 Rng 22/1

59 There is some correspondence about the practicability of withdrawing the case from Mr. Rangama- and I am not sure if it was correct,

I do not understand on

NOTE—Contin. sheet.

827

R. S. 12]

General and Revenue Secretariat. | Ind File No. 31 | of 1912

Serial No

What basis the adv. fees have been calculated by the Court in the decree? Why shd. the Municipality's fees be more than the total of what their opponent together incurred?

1/2/14

60.

The fees have been calculated at the rates prescribed in the rules of practice relating to costs. In the case of the claimants they have been calculated* on the amount decreed, but in the case of the respondent (the municipality) as the suits were partly dismissed, calculation, it is presumed*, has been made on the difference between the amount decreed & the amount of valuation.

Submitted

T

page 41 of the civil digest as verified

Note calculations on the rowdiness note

Note—Contin. sheet.

T 1561

13/1/14 BOS

GPB—61,500—17-6-12.

G. R. S. 12]

627 1225 Ins 6/4

General and Revenue Secretariat | Govt File No. 311 of 1914

Serial No.

Dr Submitted for orders

Progress sheet 1672

(Ist member)

63) The Dist Judge's abatement may be approved, as there is not much difference between it & what has been allowed by the Dy Secy.

12/3/14

64 Please put up revised charge in accordance with 1st member's opinion

Tk f 3

4/3 Prog 12/3

Mr Draftsman

Tk 61

4/3/14

Prog 24/3

Dr Secy

Reduced charge put up in accordance with the 1st member's opinion & submitted for approval (Wakalatnama & para 58)

8738 7.4.14

Prog 6/4

Devas

NOTE—Copies sheet.

GPB—60,000—25-9-13.

General and Revenue Secretariat. Mmd File No. 31 of 1912.

Serial No

69

The Dewan desires that the draft may kindly be submitted to the First Members of Council and resubmitted to him after approval by the Councillors

9 4 14

68)

1st member 2 11/4 Dmn 15/4

69)

Draft appd by First member 18-4-14

Dewan

To Dewan)

Dewan approved 2/4 Draft 2/5/14

9090 21-4-14

71) Draft approved by Dewan 2-5-14 Dmn 4/5

72 Despatch Book 5/5

73) To President Comptroller Registrar Sub Court Govt Advocate

No. 11313-6 dt 11 5. 14

Advised the Govt's appointment of Trustees

NOTE—Contn. sheet.

GPB—60,000—7 11 13

5632

No 242 Mis. 1913.

1912 13

Office of the Government Advocate in Mysore,
Bangalore dated, 20th March 1913.
311-12

From,

C S. Doraswamy Iyer Esq., B.A., B.L.,
Government Advocate in Mysore, Bangalore.

To,

The Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Departments.

Sir,

Adverting to correspondence ending with this office No.158 dated 23rd December 1912 forwarding, copies of judgments in O. S. Nos.9 and 10 of 1911-12 on the file of the District Court, Bangalore, (Pegaku Venkatachaliah VS Vice - President Bangalore City Municipality) I have the honour to submit herewith for sanction of Government two bills being my fees for the conduct of the said two suits as per Government Order Nos.528-31/ml46-12-2 dated 15th July 1912 and - 1812-4/ml 46-12-5 dated 24th August 1912.

2. It will be observed from the bills that the District Judge who was requested to countersign the bills as required by the latter part of cl (5) Rule 7 of the rules published under Government Order No.1932-85/J.137 of 02-03 dated 16th March 1904, has, for reasons not disclosed, returned the - bills countersigning them for amounts less than what was - claimed in the bill, the fees claimed being the maximum of the Advocate's - fees allowed in the decrees. I submit that this procedure of the District Judge in taking upon himself the right of determining the amount of fees to be sanctioned and payables by Government is opposed to cl (5) of the same rule, under which it is for the Government or the authority who instructed the legal practitioner to determine the remuneration payable to him having in view the importance or otherwise of the issues involved in the case It is understood

that

2

that the Countersigning officer, under the said clause, is required to certify only the appearance of the Advocate before his Court in connection with the conduct of the case to which the bill of fees relates.

3. In these circumstances I request that sanction of - Government may kindly be obtained for the payment of such fees as in the opinion of Government I am entitled to under the rule now in force

4. Copies of correspondence between this office and the District Judge, Bangalore, in this respect, as well as copies of the decree in the suits in question, are herewith forwarded for reference.

I have the honour to be,

Sir,

Your most obedient servant,

Government Advocate.

Case & Ent 3/1-12
8/1

In the Court of the District Judge, Bangalore

Present T.Paramasiva Iyer Esquire, B.A.,

District Judge.

Original Suit No.10 of 1911-12.

Claimants.		Respondent.
1. Govindaraja Mudaliar, residing in the Civil and Military Station, Bangalore.		
2. Maigandadeva Mudaliar since deceased by his legal representatives (1) Sundaramurthi Mudaliar, (2) Murgesa Mudaliar (3) Thangavelu Mudaliar residing in the Civil & Military Station, Bangalore.	VS	Government of Mysore represented by the President City Municipality, Bangalore.
3. Pogaku Venkatachaliah -- residing in Bangalore City.		

Claim for enhancement of the compensation awarded by the Land Acquisition Officer in connection with the acquisition of land measuring 7 acres and 11 guntas and bearing old survey No.16 (resurvey No.20) situated in Guttahally village Bangalore Taluk, for public purpose i.e. for the improvement and expansion of Chamarajapet and Basavangudi - Extension of the Bangalore City. The reference was made by the Land Acquisition officer on 15-7-1908.

On the passing of judgment in this suit in the ------ presence of Messrs D. Venkataramayya and L. Sreenivasa --- Iyengar Advocates for the 3rd claimant, 1st claimant being absent exparte, and the 2nd claimant's legal representatives and their Advocate Mr. C. Seshachar were since absent, and Messrs.M.Rama Rao, S Ranganna and C S.Doraswamy Iyer for Respondent.

It is ordered and decreed that the Respondent Government do pay to the 3rd claimant P. Venkatachaliah the sum of - Rs.1909-8-0 (Rupees One Thousand Nine Hundred and Nine and annas Eight Only) being the balance after deducting the -- sum of Rs.3250-8-0 (Rupees Theree Thousand Two Hundred and Fifty and Annas Eight only the amount already received by the 3rd claimant under protest from Rs.5160-0-0 ---- ----

(Rupees Five Thousand One Hundred and Sixty) the amount - awarded by this Court with interest on the said sum of -- Rs.1909-8-0 (Rupees One Thousand Nine Hundred and Nine and Annas Eight Only) at 6% per annum from this date to the - date of realization.

It is further ordered and decreed that the Respondent Government do pay to the 3rd claimant P.Venkatachaliah the sum of Rs.95-8-0 (Rupees Ninety Five and Annas Eight only) being the amount of his Advocate's fee in this suit.

Given under my hand and seal of the Court this 29th day of October 1912.

(Sd). T.Paramasiva Iyer
District Judge.

Memorandum of costs incurred in this suit.

	By 2nd claimant.	By 3rd claimant.	By Respondent.
Court fee on Plaint.			
" Power of attorney.	1-8-0.	0-8-0	1-0-0.
" Written statement.			
" Other Applications.	1-0-0.		
" Exhibits.			
" Processes.	3-8-0.	37-4-0.	2-4-0.
Duty and penalties.			
Commissioner's fee.			
Subsistence for witnesses	3-4-0.	50-0-0.	7-0-0.
Cost of adjournment.			
Fees for copying &c.			
Paper cost.	0-0-6.	0-2-6.	0-0-8.
Advocate's Fee.	95-8-0.	95-8-0.	693-9-7. ✓
	104-12-6.	183-6-6.	703-13-10.

Amount payable by Respondent to the 3rd claimant is Rs.2005-0-0 (Rupees Two Thousand and Five Only).

(Sd). T. Paramasiva Iyer.
District Judge.

" C O P Y .

Government Advocate.

Enc & rel 3/1-12
21

D E C R E E.

In the Court of the District Judge, Bangalore.

Present T. Paramasiva Iyer, Esq., B.A.,
District Judge.

Original Suit No.9 of 1911-1912.

Claimants.		Respondent.
1. Govindaraja Mudaliar, residing in the Civil and Military Station, Bangalore. 2 Maigandadevamudaliar, deceased by his legal representative (1) Sundara-Murthi Mudaliar (2) Murgesa Mudaliar (3) Thangavelu Mudaliar residing in Civil and Military Station, Bangalore. 3. Pogakoo Venkatachaliah, residing in Bangalore City.	VS	Government of Mysore represented by the President City Municipality, Bangalore.

Claim for the enhancement of the compensation awarded by the Land Acquisition Officer in connection with the acquisition of land measuring 13 acres and 24 guntas and bearing old Survey Nos.8 (resurvey No.12) situated in Guttahally village Bangalore Taluk for public purpose i.e. for the improvement and expansion of Chamarajapet and Basavangudi extensions of the Bangalore City. The reference was made by the Land Acquisition Officer on 15-7-1908.

On the passing of judgment in this suit in the presence of Messrs D. Venkataramayya and L.Sreenivasa Iyengar Advocates for the 3rd Claimant, 1st Claimant being absent ex parte, and the 2nd Claimant's legal representatives and their Advocate Mr. C. Seshachar were since absent, and Messrs. M.Rama Rao, S. Ranganna and C. S. Doraswamy Iyer Advocates for Respondent. It is ordered and decreed that the Respondent Government do pay to the 3rd claimant Pogaku Venkatachaliah the sum of Rs.7845-11-0 (Rupees Seven Thousand Eight-Hundred and Forty Five and Annas Eleven only) being the

the balance after deducting the sum of Rs.5026-1-4 ----- (Rupees Five Thousand and Twenty Six, Annas Five [illegible] only) the amount already received by the 3rd claimant under protest, from Rs.12872/- (Rupees Twelve Thousand Eight Hundred and Seventy Two) the amount awarded by this Court with interest on the said sum of Rs.7845-11-0 (Rupees Seven -- Thousand Eight Hundred and Forty Five and Annas Eleven only) at 6% per annum from this date to the date of realization.

It is further ordered and decreed that the Respondent Government do pay to the 3rd claimant Pogaku Venkatachaliah the sum of Rs.306-14-8 (Rupees Three Hundred and Six Annas Fourteen and Pies Eight only) being the amount of his Advocate's fee in this Court.

Given under my hand and seal of the Court this 29th day of October 1912.

(Sd). T. Paramasiva Iyer.
District Judge.

	By 2nd claimant.	By 3rd claimant.	By Respondent.
Court fee on Plaint.			
Do. Do,on Power of attorney	1- 8-0.	0- 8-0..	1- 0-0.
Do. Do. on written statement.			
Do. Do.on other applications.	1- 0-0.	1- 8-0.	
Do. Do.on Exhibits.		2- 0-0	
Do. Do.on Process	1- 8-0.	76- 6-0.	6- 4-0.
Duty and penalties.		132- 0-0	
Commissioner's Fee.			
Subsistence for witnesses.		70-12-0.	11- 8-0.
Cost of adjournment.			
Fees for copying, translating &c.		9-15-0.	
Paper cost.	0- 0-9.	0- 4-0.	0- 1-0.
Advocate's Fee.(7 4 81)	306-14-8.	306-14-8.	969-14-0
	310-15-5.	600- 3-8.	988-11-0.

Amount payable by Respondent to the 3rd Claimant is ------- Rs.8152-9-8 (Rupees Eight Thousand One Hundred and Fifty Two annas Nine and Pies eight only.

(Sd). T Paramasiva Iyer.
District Judge

Encl. to Govt. Advt's letter No. 34-12
19 dated 20-1-13

From

The Government Advocate
in Mysore, Bangalore.

To

The District Judge,
B A N G A L O R E.

Dated 20th January 1913.

Despatched

Received

General No 178.
No

Enclosure No.2.

Sir,

I have the honour to forward herewith two bills for Rs.969-14-0 and Rs.693-9-7, being my fees for appearing and conducting on behalf of the Respondent O. S. Nos 9 and 10 of 1911-12 on the file of Your Court, and request that they may be countersigned and returned at an early date.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd) C.S.Doraswamy Iyer.
Government Advocate.

" C O P Y.

C. Doraswamy Iyer
Government Advocate.

GPS—3,000—20-8-11

Encl to Ltr 378-A
8 3/1

19

From

T.Paramasiva Iyer Esq.,B.A.,

District Judge,Bangalore

To

C.S.Doraswamy Iyer Esq.,B.A.,
B.L.,
Government Advocate in
Mysore, Bangalore.

Dated 11th February 1913.

Despatched 12-2-1913.

Received

General No 2008
No 434

Enclosure No. Two.

His No.178 dated 20-1-1913, forwarding for countersignature two bills for Rs.969-14-0 and Rs.693-9-7 being his fees for appearing and conducting on behalf of the Respondent in O.S.Nos. 9 and 10 of the file of this Court.

With reference to the above has the honour to request that he will be so good as to submit one cosolidated bill for both the cases The bill received with his No. are herewith returned

(Sd). T. Paramasiva Iyer.
" C O P Y." District Judge.

Government Advocate.

CP— 2008-0411

Encl & rel 3 Nos

19 Nr

9

From

The Government Advocate in

Mysore, Bangalore.

To

The District Judge,

B a n g a l o r e.

Dated 18th February 1913.

Despatched

Received

General No 216.
No

Enclosure No.

In reforwarding the bills, received with his No.2008/434 dated 11/12 Instant, has the honour to state that they were prepared in accordance with para 7 sub para 5 of Government Order Judicial No.1932-85/J 137 of 02-03 -- dated 16th March 1904 and to add that in two seperate cases where seperate - decrees have been drawn up, it is difficult to prepare a consolidated bill for both the cases on any known data.

It has always been understood - that the object of obtaining the ---- countersignature of the presiding --- Judges to bills for fees for appearance in Courts, is to enable Government to - assure themselves that such appearance has, as a matter of fact been put in, before they could deal with the further question as to whether the fee claimed is or is not admissable under the rules framed

framed for the purpose.

(SD).C.S.Doraswamy Iyer
Government Advocate.

" C O P Y "

Government Advocate

Court Ref 311-a/87

19

From

T.Paramasiva Iyer Esq., B.A.,

District Judge,Bangalore Dn.

To

C.S.Doraswamy Iyer Esq.,B.A.,F.L

Government Advocate in Mysore Bangalore.

Dated 17th March 1913.

Despatched 18th March 1913.

Received

General No 2427
No 502

Enclosure No. Two.

His No.216 dated 18th February 1913.

Has the honour to return herewith the two bills (received with his docket above referred to) duly ----- countersigned.

(Sd). T. Paramasiva Iyer.
District Judge.

" C O P Y ".

Government Advocate

GPB—3000 .0611

Sec 253/12

12 311

G.R.S. 26]

File No. 12

Serial No. 2

Diary No of letter replied to 5632

Sec 16th

No 8165

ml 311-12-

9.11.413.

General and Revenue Secretariat

(Jud)

, the 19

To

The President

Jud Council

Bangalore city

11.4.13

Signed by M.J.G.R.

Sir

I

In continuation

of this office letter no.

5406 dt the

Jud 46-12).16

Jan 1913 requesting

to furnish certain particulars for determining

the fees payable to Lawyers

over

SUBJECT

15

Prosecutor Mr Rangarama for having defended the municipality in the Land Acquisition case (Pagalkala Venkatachelamuda 24 pub). I am directed to forward herewith copy of letter No. 242 dated the 20th March 1913 with its enclosures in original (to be returned) from M.C.S. Sowdasamy Iyer, Govt Advocate enclosing a bill towards his fees for conducting the suit in the D.C. Court and to request you to be so good as to have the claims of all the legal practitioners that appeared in the case for the Municipality duly investigated and a report submitted thereon for the consideration & orders of Govt

I have etc

D Mc

for Secy

10/4

List of enclosures,

Copied by

Examined by

10/4

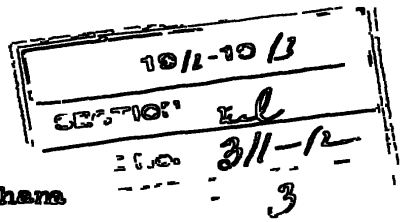
GPB—10,000—20-9-11.

TL169

10 6 13

No 272
17/4

Office of the President, Municipal Council,
Bangalore City, dated the 18th April 1913.



From

Dewan Bahadur Raja Sabha Bhushana
K. P. Puttanna Chetty Esquire,
Honorary President, Municipal Council,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

Sir,

Adverting to correspondence ending with your letter No. 8145/Ml. 311-12 dated the 11th Instant, I have the honor to submit herewith for orders a brief memorandum explaining the circumstances under which the services of Messrs. M. Rama Rao and S. Ranganna, the late and the present Public Prosecutors respectively, and those of the Government Advocate were entertained for conducting the Land Acquisition Cases O.S. Nos. 9 and 10 of 1911-12 on the file of the district Judge of Bangalore together with copies of letters and the 3 countersigned bills referred to in para 13 of the memorandum.

2. The enclosures received with the letter under reply are also returned herewith.

I have the honor to be
Sir,
Your most obedient servant,

K. Puttanna Chetty
Honorary President.

CR

191

From

To

Dated

Despatched

Received

General No

No

Enclosure No.

GPB.—20,000—8-1-13

15 41

Memo. Encl & encl 32-12

In the matter of the acquisition of lands described in the margin for the formation of the New Extension between Basavangudi and Chamarajendrapet Extensions, in the enjoyment of one Pogaku Venkatachella Setty, objection was taken by the owner of the lands to the amount of compensation Viz, Rs 8276-13-0 awarded by the Land Acquisition Officer, as being too low, the owner claiming Rs 99,220/- calculated at the rate of 1 rupee per Square yard on the whole area including the kharab lands.

Name of Village.	Survey No.	Total Extent.	Kharab.	Remaining extent.
Attamalli.	8/12	13 acres 24 guntas.	6 acres 11 guntas.	7 acres 13 guntas.
Do	16/23	7 acres 11 guntas.	10 guntas.	7 acres 1 gunta.
		20 acres 35 guntas.	6 acres 21 guntas.	14 acres 14 guntas.

2. The matter was referred to the Sub-judge for adjudication as prayed for by the owner of the land under Section 19 of the Land Acquisition Regulation. The cases were subsequently transferred to the Court of the District Judge of Bangalore and registered in that Court as O.S. Nos. 9 and 10 of 1911-12.

Nos.300 and 301 dated 5-8-1908.

3. Mr. M. Rama Rao who was then the Public Prosecutor was requested to watch the Proceedings and conduct the suits on behalf of the Municipality.

No. 2068 dated 18-3-1912.

4. After a lapse of nearly 44 months Mr. M. Rama Rao was requested not to argue the case but to hand over the papers to Mr. S. Ranganna his successor in office.

5.

16

5. The Deputy Commissioner and President reported to Government that in view of the importance of the two cases involving points of Law he had in anticipation of sanction engaged the services of the Government Advocate also and solicited approval.

No. Stamp 13. dated 10-7-1912.

6. Copies of the letter addressed to the Secretary to Government, referred to in para 5 supra, together with an abstract memorandum of the facts of the cases in question were sent to Government Advocate and Public Prosecutor with instructions to the former to conduct the suits on behalf of the Municipality getting the required information from the Municipal Office and the latter was requested to consult the Government Advocate and conduct the cases along with him.

Nos. 81 and 82 dated 11-7-1912.

7. The Government approved of the recommendation of the Deputy Commissioner and President. and subsequently enquired whether it would not be sufficient to retain the Government Advocate alone to conduct the cases in view to minimise the heavy expenses which the Municipal Council would be put to by engaging both the Public Prosecutor and the Government Advocate.

G.P. No. 528-31/11. 46-12-2 dated 15-7-1912.

T

Letter No. 1082 L.B. 46-12-3 dated 2-8-1912 from Secretary to Government.

R

8. A reply was sent to Government intimating that the Government Advocate alone would be retained and the Public Prosecutor was accordingly requested to handover the papers to the Government Advocate.

No. 40 dated 16-8-1912.

J

No. 391 dated 16-8-1912.

9. This arrangement was recorded by Government.

Proceedings No.1012-4/ XII. 46-12-5 dated 24-8-1912.

S

10. The Secretary to Government called for particulars necessary for fixing remuneration to be paid to the Public Prosecutor in the 2 cases in question

W

in question Mr. Ranganna was thereupon requested
No 1559 dated 30-1-1913. to forward his bill of fees together with a
statement showing the No of appearances made by Appts
in the Court in the two cases.

14. The late Public Prosecutor Mr. M. Rama
19-3-1913. Rao presented two bills countersigned by the
District Judge of Bangalore one for Rs 600/- as
his share of fees for conducting O.S.No. 9 of
1911-12 and another for Rs 400/- in O.S.No. 10
No 2005 dated 24-3-1913. of 1911-12. Mr. M. Rama Rao was requested to
furnish similar details as those referred to in
Dated 27-3-1913. para 10 supra, but he sent a reply stating that
he could not remember how often he attended the
Court in respect of the two cases but that he
could roughly say that he must have been present
nearly 40 times in each case.

12. Mr. S. Ranganna's bill for Rs 1663-7-7
as his fees in the two cases but countersigned
Dated 31-3-1913. by the District Judge for Rs 50/- only was
received in this Office with a covering letter
of protest.

13. Copies of Mr. M. Rama Rao's letters and
a copy of Mr. S. Ranganna's letter together with
the three countersigned bills will be submitted
to Government for orders.

14. Mr. C.S. Doraswamy Iyer Government
Advocate, in the bill submitted by him to Govern-
ment, has also claimed full fees for the cases.

15. The total amount of the fees Viz.
Rs 1663-7-7 allowed by the presiding Judge appears
to have been apportioned amongst the 3 advocates
in proportion to work done by each in the Court
of the 1st instance.

16. In addition to the above the decrees
further direct that the respondent (Government)

do

do pay to the 3rd claimant (P. Venkatachala setty) the sums of Rs 306-14-8 and Rs 95-8-0 being the advocate's fees of the 3rd claimant.

17. Another sum of Rs 350/- has already been spent on account of institution, printing and other charges in the appeals preferred by the Government Advocate on behalf of Government.

18. The Advocate fees that the Chief Court may determine for the two appeals will have to be ascertained after the appeals, which stand posted for hearing on 21-7-1913 have been disposed of.

President.

19 2

Copy of letter dated 27th March 1913 from Mr. M. Rama Rao, Retired Public Prosecutor and Advocate, to the President City Municipal Council, Bangalore.

With reference to your No. 2005 dated the 25th Instant, I Have the honor to submit the following to your consideration.

The number of days on which the cases in question were heard in the Court and the number of days on which I appeared in the case did not enter as an important matter in settling the payment of fees due to an Advocate in a Civil suit and as such no record of the same was kept by me and it is not possible at this distant time for me to forward a statement on the subject as desired by you.

I received instructions to conduct the said cases by memos Nos. 300 and 301 dated the 5th August 1908 from the Vice President of the City Municipality. From this date till the 18th March 1912, when I wasagain asked in No. 2064 dated 18th March 1912 not to appear to argue the case before the Judge, I was conducting the case. I was able and willing to complete the case and perform my part of the contract. On a rough estimate I think that I must have appeared in Court about forty times in each of the above cases during the period of 4 years.

Government Proceedings No. J. 1932-85/137 of 02-03 dated the 16th March 1904 lays down the rule by which payment of remuneration is to be made in cases, Civil, conducted by an Advocate at the Government cost.

On page 3 para 5 of the said Proceedings says "that the remuneration payable to the Public Prosecutor for conducting a Civil suit on behalf of Government will ordinarily be the maximum amount calculated according to rates of costs of the suit assessable by the Court, unless an additional sum is sanctioned by Government in consideration of the exceptional importance and difficulty of the case".

Again

Again para 6 of the above says " the bill for fees when the fee is for appearance in Court, should be signed by the Judge".

In the above 2 cases conducted by me in O.S. No 9 the court awards in its decree as advocate's fee.....Rs 969-14-0

Do in O.S. No. 10.....Rs 693-9-7

Total Rs 1663-7-7 ✓

The above total is the correct amount of fees due to me as is shown in my bills submitted for the countersignature of the Judge. But the Judge countersigns for 1000/- rupees only making over the balance six hundred and odd rupees out of the fees due to me to Messrs C.S. Doraswami Iyer and Ranganna who only appeared in the case at its close.

I have however now claimed only the amount of Rs 1000/- which is certified by the judge to be due to me by his counter-signature on my bills, reserving to myself the right of claiming the Rs 600/- and odd disallowed, at a future time if advised to do so. Under these circumstances requesting that you may kindly be pleased to order the payment of the bill at an early date.

Sd. M. Rama Rao,
Retired Public Prosecutor and
Advocate.

Copy
From President Municipal Council,
Bangalore City.
CA

21 3

Copy of letter dated 19th March 1913 from Mr. M. Rama Rao retired Public Prosecutor to the President, Municipal Council, Bangalore City.

I have the honor to forward herewith 2 bills countersigned by the District Judge of Bangalore and to inform that the said

(1) Bill of fees for having conducted O.S. No. 9 of 1911-12 on the file of the said Court... fees--------Rs 600/-

Amount cash lent by me in the case for meeting expenses on behalf of the Vice President.....Rs 18-5-0

(2) Bill of fees for having conducted O.S. No. 10 of 1911-12 of the said Court.....fees----Rs 400/-

Cash lent for expenses in the case.....Rs 9-12-0

Total Rs 1028-1-0

Rs One thousand and twenty eight and anna one only.

cases were conducted by me under instructions as conveyed to me by memos No. 300 and 301 dated the 5th August 1908 by the Vice President of the City Municipality Bangalore. I request that you may be pleased to order payment of the amount at an early date.

Sd. M. Rama Rao,
Retired Public Prosecutor.

"Copy"

For Hon President Municipal Council, Bangalore City.

Copy of letter dated 31st March 1913 from the Public Prosecutor, Bangalore, to the President, Municipal Council, Bangalore City.

With reference to your letter No. 1978 dated 20th Instant, I have the honor to submit my bill in O.S. Nos. 9 and 10 of 1911-12 on the file of the District Judge, Bangalore, I do not accept the figure for which the District Judge has countersigned and I doubt if he can, as a countersigning Judge settle the fee payable to the Counsel. The sum claimed in the bill is what is assessed in the decree and thedisproportion between this and the amount fixed by the District Judge is so striking that I consider it essential to refer, by way of justifying my action, to the correspondence that has transpired in this connection. The letter addressed to me by the President No. 2068 dated 18th March 1912 required me to conduct the cases " to completion ". The next letter a copy of which was sent to me for information (S.No.13 dated 10/11 July 1912) was from the Deputy Commissioner Bangalore District to the Secretary to the Government intimating to him that the services of the Government Advocate were also necessary and that he was asked to appear in the cases in anticipation of sanction by Government. The memo sent to me with the copy of this letter required me to appear in the cases with the Government Advocate. It is not easy for me to understand whether the Deputy Commissioner had officially a locus standi to engage the services of a Counsel for the Municipality. The next communication received by me was from the Deputy Commissioner and President requiring me to hand over the papers to the Government Advocate with a copy of his letter No. 40 dated 15th August 1912 addressed to the Secretary to Government intimating to him that the services of the Government Advocate alone were sufficient and that he would be engaged in the cases. The noteworthy features of this letter are that it is addressed by the

the Deputy Commissioner and president, that it does not show that the ancipated sanction was recorded by Government and that it does not assign any reasons for with drawing the cases from me. In these circumstances I have no other alternative than to claim the fee assessed in the decrees on the basis that I am to be legally deemed to have appeared in the cases till their completion.

೨) ೪ I have addressed a letter to the Secretary to Government
X in this behalf on the 17th September 1912 and as I have not received a reply I request you to be so good as to forward to Government a copy of this letter with my bill.

Sd. S. Ranganna,
Public Prosecutor.

'Copy'

For Hon President Municipal Council,
Bangalore City

Central Secretariat 523 of 14

Copy of letter No 242 dated Bangalore 20th March 1913, from the Government Advocate in Mysore, to the Secretary to the Government of H.H. the Maharaja of Mysore, General and Revenue Departments.

Fees under dispute

Adverting to correspondence ending with this office No 158 dated 23rd December 1912 forwarding copies of judgments in O.S.Nos 9 and 10 of 1911-12 on the file of the District Court, Bangalore, (Pogaku Venkatachaliah VS Vice-President Bangalore City Municiplaity) I have the honor to submit herewith for sanction of Government two bills being my fees for the condhct of the said two suits as per Government Order Nos 528-31/ml 46-12-2 dated 15th July 1912 and 1812-4/ml 46-12-5 dated 24th August 1912.

2 It will be observed from the bills that the District Judge who was requested to countersign the bills as required by the latter part of cl (6) Rule 7 of the rules published under Government Order No 1932-85/J 137 of 02-03 dated 16th March 1904, has, for reasons not disclosed, returned the bills countersigning them for amounts less than what was claimed in the bills the fees claimed being the maximum of the Advocate's fees allowed in the decrees. I submit that this procedure of the District Judge in taking upon himself the right of determining the amount of fees to be sanctioned and payable by Government is opposed to cl (5) of the same rule under which it is for the Government or the authority who instructed the legal practitioner to determine the remuneration payable to him having in view the importance or otherwise of the issues invloved in the case. It is understood that the Countersigning officer, under the said clause, is required to certify only the appearance of the Advocate before his Court in connection with the conduct of the case to which the bill of fees relates.

3 In these circumstances, I request that sanction of Government may kindly be obtained for the payment of such fe as in the opinion of Government I am entitled to under the

25

the rules now in force.

4 Copies of correspondence between this office and the District Judge, Bangalore in this respect, as well as copies of the decrees in the suits in question, are herewith forwarded for reference

---

Copy

Thovindarow

for Offg Secretary to Government

D.V.M

G R. S 26]

Diary No of letter replied to 6460

General and Revenue Secretariat
(Jud)
, the 191

Date of issue 15-5-13

Signed by MJAR

17.5.13 Sup 285 12 2-b 311 File No. 12 Serial No 4

No. 9069
mb 311-12
9-15-5-13

To The Registrar
of the Bombay Court
of Inquiry

Sir,

I am directed to request you to be so good as to obtain & forward. award as early as practicable a statement showing the dates on which the Assessors noted

over

SUBJECT

2

in the suit appeared for the Respondents
the
from which application
without which was were granted,
— O S No 9 of 10 of 1911-12
in the file of the District
Judge, Bangalore. (Application
Venkatachellamiah & 2
other claimants of the
Bangalore city and)

(1) Mr Ram alias
R.D. Amin Inspector
(2) Mr S Bangaru
Police Prosecutor
(3) Mr C J Devasamy
Inspector Attached

J Fawcett

Dy
9/5/13
for Secy

Now
915

7469
5/13

List of enclosures.

Copied by Kyk
Examined by

GTD—43/10-3-11.

No. 4276 Sworn
382

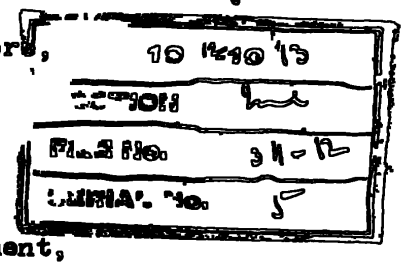
Chief Court of Mysore,

Bangalore, dated 16th June 1913.

From,

D8038

The Registrar of the
Chief Court of Mysore,
Bangalore.



To,

The Secretary to Government,
General and Revenue Departments.

Sir,

With reference to your letter No 9069/M1 311 -/2-4 dated 15th May last calling for a statement showing the dates on which several advocates appeared for the Respondent in Original Suits Nos 9 and 10 of 1911 - 12 on the file of the District Judge of Bangalore, I am directed to forward the statement in question received from the District Judge, Bangalore.

I have the honor to be,
Sir,
Your most obedient servant.

Ag Registrar.

P.L.

Statement showing the dates on which the Advocates of Parties Sri Rama Rao, S. Gopalan and B. S. Narasimha Iyer appeared for the Respondent and those on which adjournments at trial were granted on OS Nos. 9 and 10 of 1912 on the file of the District Judge's Court Bangalore, which were tried together being connected suits. (Exhibit 2nd 3rd-M)

Name of the Advocate who appeared for the Respondent	Dates of hearing on which the respective advocates appeared for the Respondent		Remarks
	Adjournments granted at first trial	Adjournments granted after trial	
Sri Rama Rao	25 8 08		
Do	15 9 08		
Respondent absent	16 10 08		
Do	22 10 08		
Sri Rama Rao	19 11 08		
Do absent	30 11 08		
Sri Rama Rao	15 12 08		Issues framed.
Do	6 7 09		
Do	27 7 09		
Do		24 8 09	3 witnesses were examined
Do		21 9 09	13 witnesses were examined
Do	12 10 09		
Gopalan for Sri Rama Rao	14 12 09		
Sri Rama Rao	25 1 10		
Do	24 2 10		
Do	25 5 10		
Narasimha Iyer	29 6 10		
Sri Rama Rao	9 2 11		
Do	23 2 11		
Do		21 3 11	3 witnesses were examined
Do	12 4 11		
Do	1 6 11		
Do	15 6 11		
Do	23 6 11		
Do	26 6 11		
Do	12 7 11		

Respondent absent 30	8 8 12	"	
No body appeared for Respondent	9 11	"	
— do —	12 2 12	"	
— do —	29 2 12	"	
Mr M Rama Rao	"	12 3 12	6 exhibits were examined
— Do —	"	16 3 12	3 exhibits were examined
No body appeared for Respondent	15 5 12	"	"
— do —	4 6 12	"	"
Mr C S Srinivasa Iyengar			
Mr S Rangarao	16 7 12	"	"
Mr Srinivasa Iyer	21 8 12	"	"
— do —	3 9 12	"	"
— do —	"	17 9 12	One exhibit was examined
— do —	18 9 12	"	"
— do —	"	20 9 12	Argument on certain points
— do —	1 10 12	"	"
— do —	"	4 10 12	Argument heard, Case closed

District judge's Court
Bangalore the 9th June 13

District Judge

Request the Registrar of the High Court to obtain a statement of grounds on which the Govt has made a distribution of fees to the Advocates for 311 Miscellaneous in case (Pogakalu Venkatachalamaiah vs the MD Bangalore Cy)

G R. S 26]

File No 12

Serial No 31

Diary No of letter replied to 8038

No. 906 S.J. dt 21.7.13
ml 311-12

General and Revenue Secretariat
(Govt)
, the 191

To The Registrar of the High Court of Mysore

Date of issue 24.7.13

Signed by MrAVR

Sir,

With reference to your letter no 4276/332 dated the 16th June 1913 forwarding a statement showing the date on which the several Advocates appeared for

over

ml 311-13 dt

SUBJECT

for the Respondent in
original suits Nos 9 & 10
of 11-12 on the file of
the IV Judge of Bangalore
(Pogaralu Venkatachalaiah
at the Bangalore city
munsif) I am directed
to state that the IV
Judge has countersigned the
bills of fees due to the
Advocates for the Respondent
as per particulars noted
in the margin and
I am to request
you to be so good as to
obtain and forward
for the information of Govt
a full statement of
the grounds on which the
IV Judge has made the apportionment
distribution of fees between the advocates.

Mr M Rama Rao	600-0-0
	400-0-0
Mr Rugmaa	50-0-0
Mr Narasimha Iyer	340-11-0
	272-12-2
	1663-7-7

I have etc

Asst
for Secy

List of enclosures

Copied by

Examined by

GPB—22,000—6-8-11

TS89
16/7113

No. 521/30 Genl.

CHIEF COURT OF MYSORE

Bangalore, dated 30th July 1913

From,

The REGISTRAR of the
Chief Court of Mysore

To,

The SECRETARY to the Govt of Mysore,
General and Revenue Departments

S i r,

With reference to your letter No. 905/Ml 311-12-6 dated 21st Instant requesting to obtain and forward for the information of Government a full statement of the grounds on which the District Judge of Bangalore made the apportionment of fees among the advocates who appeared for the defendants in Original Suit Nos 9 and 10 of 1911-12 on the file of his court, I am directed to forward a copy of the District Judge's docket No 378/52 dated 26th Instant

I have the honour to be,
Sir,
Your most obedient servant,

Registrar

N C.

Docket No. 378/52 dated 28th July 1913, from the District Judge of Bangalore, to the Registrar of the Chief Court of Mysore, Bangalore.

Referring to his No 441/27 dated the 23rd Instant, has the honour to state that the Public Prosecutor, Mr S Ranganna, attended only one day and nothing was done that day Rs. 50/- was allowed him as a matter of courtesy having regard to the value of the subject matter in the suits.

The late Public Prosecutor, Mr M.Rama Rao, did almost the entire work of examining the witnesses, while the Government Advocate, Mr C.S Doraswamy Iyer, did the most intelligent portion of the work and was very helpful to the Court in getting the errors in the Government declaration rectified and placing the facts in their true light

(Sd).- T Paramasiva Iyer,
District Judge.

" C o p y "

Registrar

N.G.

Claims of legal practitioners to fees for defending the Govt Council in a case of Land Acquisition

G.R.S. 28]

Pongakalu Venkatachelamiah Vs the Dept. Comm., Bangalore Dist

File No 311/12

Serial No 8

Diary No. of letter replied to 827

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT

(Jud)

, the 191

READ— Letter no. 242 dated the 20th March 1913 from the Govt. Advocate in Mysore

Date of issue

Signed by

ORDER PASSED—No.

Submitting two bills for Rs 969-4-0 & Rs 93-9-7 being the fees for appearing on behalf of the respondent, - the

over

SUBJECT

Bangalore City Municipal Council, in his No. 9-10 of 11-12 on the file of the Ist Judge of Bangalore, (Pogakalu Venkatachelamah Vs the Bangalore City Municipal Council), stating that the said Judge who has countersigned the bills for less amounts than those claimed, has, contrary to rule 5 in G.O. No. 1932-95 J 137-02 dated 16th March 1904 taken upon himself the duty of fixing the fees, and requesting that such fees as in the opinion of Govt he is entitled to have, may be paid to him.

2. Correspondence ending with letter No. 272 of

GPB—20,000—8-10-11

Petitioner's original

G. R. S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

Dated the 18th August 1913

From the President, Bangalore City Municipal Council, submitting bills countersigned by the Dt Judge for fees payable to Messrs M Rama Rao & Rangama who also partly conducted the above cases ~~partly~~ on behalf of the same respondent and furnishing brief memo of the circumstances which necessitated the engagement of the three legal practitioners to defend the Municipal Council in these cases

3) Correspondence ending with letter No. 521/30 dated the 30th July 1913 from

11

GPS—12,000—15-8-12.

The Registrar of the High Court in his proceeding statement of the appearances made before the Court by the three legal practitioners and the grounds on which the learned judge ~~made the~~ apportioned the fees among the advocates for the respondent; as per particulars noted below: —

(1) Rs 1000/- to Mr Ramesh Rao

(2) Rs 50 to Mr Ranganna

(3) Rs 613-7-7 to Mr C Somasundaram Iyer

Order thereon No 11313-Amalgamated 9/11 5-46

G R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

39

On a consideration of all the circumstances of the case the Govt are pleased to approve of the Ot Judge's apportionment of the fees, as detailed above

18/4

Secretary 21/4

5-14

TLS 61 BS

19-8-14

To the President, Govt Council Bangalore City with three bills received from him

- Comptr to Govt
- Registrar of the Chief Court
- Govt Advocate

Mysore with two bills received with his letter read above

GPS—12,500—15-5-13